

DT15 Rec'd PCT/PTO 07 SEP 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: SOLOMON6A

In re Application of:)	Confirmation No.:
Beka Solomon)	
)	Art Unit:
)	
Appln. No.: Not yet assigned)	Examiner:
)	
Filed:)	Washington, D.C.
)	
For: IMMUNIZING COMPOSITION)	September 7, 2004
AND METHOD FOR INDUCING AN)	
IMMUNE RESPONSE AGAINST THE...)	

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir :

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

(Check one of the boxes A-D)

[X] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

☒ B. before the mailing date of a first Office action on the merits or before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., Form PTO/SB/08A) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A, B and/or C and fill in blanks, if appropriate)

☐ A. Document(s) _____ is (are) U.S. patent(s) and/or published application(s). As this is a U.S. application filed after June 30, 2003, or an entry into national stage under 35 U.S.C. §371 after June 30, 2003, the requirement to file copies of such U.S. patents or published applications has been waived. (MPEP §609IIIA(2)(A)).

☐ B. Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with §1.98(c), only a copy of each of the latter documents is enclosed.

☐ C. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

(insert serial numbers and filing dates of prior applications)

Applicant(s) identifies these documents by attaching hereto copies of the forms PTO-892 and PTO-1449 (or PTO/SB/08A) from the files of the prior application(s) or a fresh PTO-1449 (or PTO/SB/08A) listing these documents, and request that they be considered and made of record in accordance with §1.98(d). Per

37 CFR §1.98(d), copies of these documents need not be filed in this application.

3. Document(s) _____ is (are) not in the English language. In accordance with §1.98(c), Applicant(s) states:

☐ An English translation of each document _____ (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.

☐ A concise explanation of the relevance of document(s) _____ is found in the attached _____ search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).

☐ A concise explanation of the relevance of document(s) _____ is set forth as follows:

(insert concise explanation of relevance)

☐ A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.

☐ A concise explanation of document(s) _____ can be found on the attached sheet.

4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

5. Other information being provided for the examiner's consideration follows:

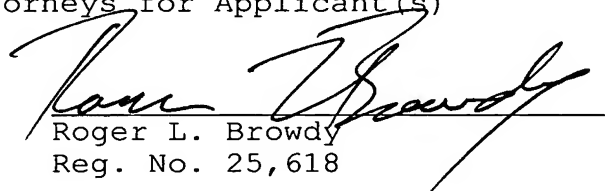
A COPY OF THE INTERNATIONAL SEARCH REPORT IS ENCLOSED

6. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant(s) reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

BROWDY AND NEIMARK
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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/506665
Filing Date	
First Named Inventor	Beka Solomon
Group Art Unit	
Examiner Name	
Attorney Docket Number	SOLOMON6A

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-			
		US-			
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Number Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	AA	WO 9927944 A1	06-10-1999	ATHENA NEUROSCIENCES, INC.		

Examiner
SignatureDate
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

Approved for [REDACTED] through 07/31/2006. OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 2

Complete if Known

Application Number

10/506665

Filing Date

First Named Inventor

Beka Solomon

Group Art Unit

Examiner Name

Attorney Docket Number

SOLOMON6A

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner
Signature

Date
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.